

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SECURITIES & EXCHANGE COMM.	§	
	§	
v.	§	NO. 4:22-CV-3359
	§	
MAURICIO CHAVEZ et al.	§	

UNOPPOSED MOTION FOR PAYMENT OF ATTORNEYS FEES

David Gerger and the law firm Gerger, Hennessy & Martin move for permission to pay their invoice for work during October 2022 representing Mauricio Chavez. The Receiver does not oppose this request but asks that we file it as a motion with the Court, and the SEC also is unopposed.

1. Background and the Lawyers

The Securities & Exchange Commission (“SEC”) is conducting an investigation of Mauricio Chavez and a company called Crypto FX. In that investigation, Mr. Chavez and Crypto FX engaged experienced civil counsel, and Mr. Chavez also engaged David Gerger (Gerger, Hennessy & Martin – herein “GHM” or “Gerger”) to represent him individually. GHM is experienced in advising clients facing government investigations – including criminal investigations but also civil investigations by the SEC.¹

¹ Gerger has practiced law in Houston since 1991, after clerking for two federal judges and acting as an Assistant Federal Public Defender. He is a Fellow in the American College of Trial Lawyers and the American Board of Criminal Law; has taught criminal law and ethics at the

Consistent with normal practice, GHM received a deposit into its trust account to secure and bill hourly fees and expenses each month.

2. Work in September 2022 and October 2022 and Balance of Deposit

A. Work in September and October (Unopposed)

The Order appointing Receiver provides that the Receiver shall allow for reasonable and necessary legal fees for Mr. Chavez.

During October, GHM incurred \$4,752.50 in fees largely to cull and produce more documents to the Receiver from our file. We have sent a bill detailing the charges to the Receiver and the SEC, and they do not oppose this request for payment, but the Receiver has directed us to file our request as an unopposed motion with the Court.

On October 17, 2022, we filed a similarly unopposed motion for fees for work during September 2022, totaling \$17,342.50. *See* Doc. 20.

The proposed Order thus asks approval to process these two invoices, totaling \$22,095.

B. Balance of Deposit

The Receiver demanded the rest of our IOLTA deposit, which we have sent. We understand that Mr. Chavez is obtaining new civil counsel for this case. If we are called

University of Houston Law Center; and is recognized by various organizations including “Band 1” in “White Collar Litigation” in Chambers & Partners. The firm’s qualifications are at www.ghmfir.com.

on to give criminal law advice to new counsel or to Mr. Chavez, we will make a request for fees at that time.

3. Conclusion

We thus ask for an order allowing us to transfer \$17,342.50 from our trust account for work during September 2022 plus \$4,752.50 from our trust account for work during October 2022.

Respectfully submitted,

/s/ David Gerger
David Gerger
dgerger@ghmfirm.com
GERGER HENNESSY & MARTIN, LLP
700 Louisiana St. Suite 2300
Houston, Texas 77002
713.224.4400 – Telephone
713.224.5153 – Facsimile

CERTIFICATE OF CONFERENCE AND SERVICE

As explained above, the Receiver and SEC do not oppose payment for fees during September and October.

I sent this pleading to the Receiver and filed the foregoing with the Clerk of Court using the CM/ECF system, which will serve a copy on counsel of record.

/s/ David Gerger
David Gerger